

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

Contract No.: DCBE-2009-C-0002
Caption: Dental Services District Employees
Contractor: Connecticut General Life Insurance Company (CIGNA)
Agency: D. C. Department of Human Resources

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304 and 1702

2. MINIMUM NEED:

The District of Columbia Government (District/DC), Office of Contracting and Procurement (OCP) on behalf of the DC Department of Human Resources (DCHR) has a continuing need for a Contractor to provide a high quality, cost effective, and accessible dental insurance plan for both Union and Non-Union Employees of the District and their eligible dependents for an interim period until a new long term contract can be awarded. Approximately 15,000 employees will continue to receive a Dental Preferred Provider Organization (DPPO) or a Dental Health Maintenance Organization (DHMO) program plan.

The period of performance is expected to be from January 1, 2013 through December 31, 2013.

3. ESTIMATED REASONABLE PRICE:

The estimated value of the contract for the period 01/01/13 through 12/31/31 is \$8,109,100.

1. Facts Which Justify Renewal or Extension of a Sole Source Contract:

- A. Cigna has satisfactorily performed the required dental services for the past five years and is familiar with the specific requirements.

- B. The District does not have employee staff to provide the required services.
- C. Interruption of this service would prevent the District from providing District employees with dental benefits which are required.
- D. The Office of Contracting and Procurement expects to award a new contract for these services by August 2013.
- E. Award of the contract extension to CIGNA under contract DCBE-2009-C-0002 is the only way to ensure that this service is provided without interruption. The extension of the sole source contract is the most advantageous method of fulfilling the District's need, when price and other factors are considered. CIGNA has agreed to provide services under the terms and condition of the current contract in accordance with Section B.2.1.1m Price Redetermination for Option Periods, which states "if the total enrollment varies by more than +/- 15%, on the effective date of each renewal period, the parties will review the rates and CIGNA shall have the opportunity to revise its rates."
- F. It is not feasible or practical to seek competition at this time. There is no indication that the District would receive a lower price. OCP could not conduct a negotiated procurement under D.C. Code §2-303.03 in time to award a replacement contract since the present contract is scheduled to end on December 31, 2012.

5. CERTIFICATION BY AGENCY HEAD:

I hereby certify that the above findings are true, correct and complete.

Date

Shawn Stokes
Director
D. C. Department of Human Resources

6. CERTIFICATION BY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304 and that [no response was received] [the response received was rejected because

]. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

James D. Staton, Jr.
Chief Procurement Officer

INSTRUCTIONS FOR THE D & F FOR A SOLE SOURCE PROCUREMENT

1. AUTHORIZATION

D.C. Official Code §2-354.04; There is only one source for the required goods or services. Cite 27 DCMR 1304 and 27 DCMR 1702 as applicable.

2. MINIMUM NEED

Describe the program agency's requirement for a stated minimum need (scope of work) and time frame within which work must be performed. List in detail the precise nature and scope of the services or supplies required. The time frame must be justified in detail when sole source justification is time based.

3. ESTIMATED REASONABLE PRICE

The estimated price of the contract (the amount the contractor is anticipated to receive).

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT

Indicate the facts which establish that there is only one available source. This justification shall include an explanation of the proposed contractor's unique qualifications or other factors that qualify the proposed contractor as a sole source for the procurement. It shall also include a description of the market survey conducted and the results, or a statement of the reasons why a market survey was not conducted. If proprietary, follow 27 DCMR 1702.3.

5. CERTIFICATION BY AGENCY HEAD

The head of the program agency, by signature, certifies factually the findings.

6. CONTRACTING OFFICER CERTIFICATION

The contracting officer, by signature, certifies (1) factually the findings and recommends that an official with written delegated authority determines, by signature, that the use of the sole source procurement method is justified, and (2) that the notice of intent to award a sole source contract was published and that no viable response was received. The contracting officer must state that either no response was received or briefly explain why a response was not viable.

7. DETERMINATION

An official with written delegated authority determines, by signature, that the use of the sole source procurement method is justified. The Chief Procurement Officer, or an official delegated authority in writing to sign on behalf of the Chief Procurement Officer, must sign the determination if the procurement is in excess of five thousand dollars (\$5,000).